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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

Braden Scott McDaniel,
Plaintiff,

vs.

Kilolo Kijakazi, Acting
Commissioner of Social Security,
Defendant.

Case No. 1:21-cv-00676-SKO
STIPULATION AND ORDER FOR
EXTENSION OF TIME
(Doc. 15)

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from September 14, 2022 to November 14, 2022, for Plaintiff to serve on defendant with Plaintiff's Motion for Summary Judgment. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's second request for an extension of time. In the months of May through July 21, 2022, Counsel received an influx of Social Security Certified Administrative Records (CAR). A review of the records received shows Counsel

1 has received at least 50 CARs, the majority of which were filed in June 2022.
2 This has caused an unusually large number of cases that have merit briefs due in
3 the months of August and September. For the weeks of September 12, 2022 and
4 September 19, 2022, Counsel currently has 10 merit briefs, and several letter briefs
5 and reply briefs. Additional time is needed to thoroughly brief this matter for the
6 Court.

7 Lastly, as previously reported, Counsel for Plaintiff underwent major
8 orthopedic surgery in March 2022, requiring significant physical therapy. This has
9 required Plaintiff's counsel to take time off during the work week and work
10 months since then. Although much improved, Counsel still participates in regular
11 physical therapy two to three times per week.

12 Defendant does not oppose the requested extension. Counsel apologizes to
13 the Defendant and Court for any inconvenience this may cause.

14
15 Respectfully submitted,

16 Dated: September 6, 2022 PENA & BROMBERG, ATTORNEYS AT LAW
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18 By: /s/ Jonathan Omar Pena
19 JONATHAN OMAR PENA
20 Attorneys for Plaintiff
21

22 Dated: September 6, 2022 PHILLIP A. TALBERT
23 United States Attorney
24 PETER K. THOMPSON
25 Acting Regional Chief Counsel, Region IX
26 Social Security Administration
27

28 By: */s/ Marla K. Letellier
Marla K. Letellier

Special Assistant United States Attorney
Attorneys for Defendant
(*As authorized by email on September 6, 2022)

ORDER

Based upon the foregoing stipulation of the parties (Doc. 15), and for good cause shown (Fed. R. Civ. P. 16(b)(4)),

IT IS HEREBY ORDERED that Plaintiff shall have an extension of time, to and including November 14, 2022, in which to file Plaintiff's motion for summary judgment. All other deadlines set forth in the Scheduling Order (Doc. 11) shall be extended accordingly.

IT IS SO ORDERED.

Dated: September 9, 2022

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE